

DATE: December 4, 2007

TO: Mayor and City Council
Redevelopment Agency Board Members

FROM: Director of Community and Economic Development

SUBJECT: Authorization to Enter into Contracts and Approval of Funding for Downtown Safe and Clean Effort

RECOMMENDATION

That the City Council adopts the attached resolutions authorizing the City Manager to enter into contracts for additional sidewalk cleaning services downtown, and approving an amendment to the BIA budget in the amount of \$9,500 and appropriating an additional \$60,000 in CDBG funds for this purpose.

That the Agency Board adopts the attached resolutions authorizing the Executive Director to enter into contracts for the purchase and installation of upgraded lighting and trash receptacles; and for security and maintenance services related to the Cinema Place Garage, and authorizing appropriations from the Agency Fund Balance in the total amount of \$543,000 for this purpose.

SUMMARY

On October 16, 2007, the City Council held a Work Session to discuss a number of issues and potential strategies to assist in keeping downtown Hayward safe and clean. The identified strategies were later distilled, prioritized, and presented to the Council Downtown Committee for further input on October 22, 2007. As a result of these meetings, staff is now returning to update the City Council/Agency Board regarding recent progress and to request funding to implement items that have been identified as immediate priorities, including:

- Redevelopment funding to hire private security for the Cinema Place parking structure and immediate vicinity for approximately the next year, until the new theater is open;
- Redevelopment funding to evaluate and upgrade lighting along B and Main Streets in the immediate downtown core area;
- BIA and CDBG funding for increased sidewalk cleaning in the downtown area;
- Redevelopment funding to modify existing trash receptacles to discourage “dumpster diving”, and purchase or replace trash receptacles or recycling containers to encourage recycling efforts;

- A report on efforts to work with existing faith-based and other non-governmental organizations to identify appropriate facilities to host the delivery of indoor food distribution and other ancillary support services; and
- A report regarding periodic volunteer downtown clean-up events in coordination with the Keep Hayward Clean and Green Task Force.

DISCUSSION

Security Needs: One of the key items identified in the recent meetings regarding the downtown is a need for additional police or security presence in the downtown area to deter a variety of criminal and nuisance behavior, as well as to provide a sense of safety for shoppers and merchants. It is recommended that additional police officers for the downtown beat be considered when the Police Department presents its Strategic and Staffing Plan. Neither the Police Department nor private security firms consulted recommend that private security be used as a replacement for the patrol and safety functions of the Police Department in the downtown area due to safety and liability concerns, the legal and contractual limitations of security firms versus actual police, and the ability of the Department to back up the private security.

Meanwhile, the Cinema Place parking garage has been substantially completed and has become a target for graffiti. The garage is estimated to be ready for occupancy by the first week of December. There is a concern that once it is opened and as winter sets in, the garage could be subjected to additional undesirable activity. Although the garage will be open, the Cinema Place development is not estimated to be ready for occupancy until November 2008, and the developer's budget does not allow for placement of security at the site.

As a result, it is recommended that redevelopment tax increment funds be appropriated to hire a private security guard for a one-year period for the new Cinema Place garage. The guard would be stationed at the garage site during the hours that no construction is taking place, including Monday through Friday from 4:00 p.m. to 8:00 a.m., and on weekends and holidays for 24-hours. Currently, the City has a contract with Securitas Security Services, which also provides guards for City Hall and the Hayward Airport; therefore, it would be efficient to add a guard to the existing contract and fund the new security guard with redevelopment funds. The guard service contract is administered by the City's Facilities Division.

Security Budget:

Security Firm under contract – one year	\$146,000
Misc. Security needs	<u>\$4,000</u>
Total	\$150,000

The need for security for the parking garage will be re-evaluated once the new Cinema is open for business. At that time, pursuant to the Cinema Place Parking Maintenance and Easement Agreement, the Agency has the right to hire security, and the owner of Cinema Place has the right to compel the Agency to hire security. The owner of Cinema Place is required under the Agreement to pay half the costs of garage maintenance services.

Upgraded Lighting: Another long-standing concern in the downtown has been that lighting is too dim at night, particularly along B Street, and does not convey enough of a sense of safety. As a result, in consultation with the Public Works Department, staff is recommending that a lighting

consultant be retained to evaluate the lighting to determine specifically where and how the street lighting should be improved for the length of B Street from Foothill to Watkins, and along Main Street from A to C Street. Public Works recently performed a similar evaluation and upgrade for the Library Plaza. For budgeting purposes, staff is currently assuming that new lighting heads and lamps will be needed for the 26 existing poles on B Street, and that approximately 11 new light poles will be needed.

It is recommended that a budget of \$198,000 in Redevelopment tax increment funding be appropriated for lighting upgrades, as detailed below. Funds remaining at conclusion of the upgrades would revert back to the Agency's general fund.

Lighting Budget:

Lighting Consultant:	\$25,000
PG&E Coordination & Upgrades	\$50,000
New Light Poles & Lamps (11)	\$55,000
New Heads & Lamps (26)	\$26,000
Admin/Project Management (15%)	\$23,400
Contingency (10%)	<u>\$18,600</u>

Total **\$198,000**

Increased Sidewalk Maintenance: Sidewalk cleanliness was a third area of concern in the downtown. Currently the City provides street sweeping three times per week, and the Downtown Business Improvement Area provides detailed sidewalk power washing once per year in the downtown and twice per year on B Street. Additionally, the City currently contracts with East Bay Services to the Developmentally Disabled Inc., a nonprofit organization that provides a crew of supervised high functioning adults with developmental disabilities to pick up litter two days a week in downtown Hayward. The cost of this contract is approximately \$7,800 per year, paid for with City General Fund monies and is administered by the Landscape Division of the City's Public Works Department.

While the BIA and the Chamber of Commerce encourage individual business and property owners to keep the sidewalks in front of their property clean, the response has been insufficient to sustain the improvement that is needed. And, current contracted services are not enough to keep trash picked up and sidewalks clean on a daily basis.

CED/Redevelopment staff has observed demonstrations and received bids for two makes of sidewalk sweepers: one is a Tennant, and the other a Green Machine. However, due to operational and maintenance concerns involved with both machines, it has been determined that it would be more cost effective and efficient to increase the frequency of cleaning the Downtown via litter pick-up and sidewalk power-washing service contracts.

It is recommended that Downtown Business Improvement Area Funds, in the amount of \$9,500, be appropriated by the City Council (with the review and concurrence of the BIA Advisory Board) to augment the current downtown sidewalk power-washing contract up to three times per week, as needed for the next six months. The BIA has available fund balance to pay for increased sidewalk maintenance in the current fiscal year. For the next fiscal year, the BIA Advisory Board and the

City Council/Agency Board may need to consider supplemental funding to the BIA, or raising BIA fees to cover these operations.

It is further recommended that available Community Development Block Grant (CDBG) funds, in the amount of \$60,000 be used (with the review and recommendation of the Citizens Advisory Commission), to augment the current litter pick-up services contract, with an addendum for graffiti abatement services as well, if possible. At least two nonprofit organizations that train high functioning adults with disabilities to do litter-pick up have already expressed interest. A portion of the CDBG funds previously authorized by Council, but subsequently not needed, for the acquisition of 913 B Street are available and can be used for this purpose on a one-time-only trial basis. If the increased services achieve the desired results, a more sustainable source of funding for this contract can be explored with the BIA and Hayward Chamber of Commerce.

Sidewalk Cleaning Budget:

Sidewalk cleaning Contract Addition:	\$9,500
Litter Pick-Up Contract	<u>\$60,000</u>
Total:	\$69,500

Volunteer Downtown Clean-up Events: The resources available for increasing Downtown cleaning service contracts are limited, so it is important to augment these services with local volunteer clean-up events, that also help to increase a sense of community spirit and pride. In response to the concerns noted at the City Council's October 16th Work Session, the Hayward Day Labor Center, with support from the KHCG Task Force and City staff, organized a Downtown Hayward Volunteer Clean-Up event on November 27th, just in time for the City's Downtown Light Up the Season and Santa Paws events. This effort is intended to be the first of future periodic volunteer Downtown clean-up events. Staff will provide an update on the success of the November 27th Clean-Up event at the December 4, 2007 City Council meeting.

Modification and Upgrades to Trash Receptacles: There are two primary complaints concerning downtown trash cans: 1) all the trash cans, including the new, black ones on B Street are vulnerable to having the lids removed by people looking for recyclable materials, and 2) the aggregate-faced trash cans found throughout the remainder of downtown are not attractive and in many cases are beat up due to many years' use and abuse. The Agency can fund: 1) the replacement of the aggregate-faced trashcans with more attractive ones; 2) the modification of the existing black receptacles on B Street so that the lids cannot be so easily removed by casual recyclers; and 3) the installation of new recycling containers, at least along B Street. While additional research needs to be done to determine the feasibility of modifying the existing black containers, as well as the best and most attractive new receptacles, the following is a reasonable overall budget for that effort.

Trash Receptacle Budget:

Modify B Street Receptacles (25) \$500/receptacle	\$12,500
Recycling Containers for B Street (10) \$700/receptacle	\$7,000
Replacement Trash Receptacles (120) \$700/receptacle	\$84,000

Installation Labor	\$50,000
Admin/Project Management (15%)	\$23,000
Contingencies (10%)	<u>\$16,000</u>
Total	\$195,000

Delivery of Food Distribution and Support Services: Staff has been working with the local faith-based organizations with food distribution activities at Portuguese Park and in front of the Hayward Main Library. The effort has been to identify locations so that this assistance can be provided at one or more alternative indoor locations. Local social service agencies have also been contacted in an effort to coordinate the delivery of food with other ancillary social services (including, but not limited to, the Alameda County Food Bank and Eden Information and Referral). In this way, the services can be offered in a more dignified and comprehensive manner that is also in concert with the other downtown economic development efforts described in this report. The timing of this move is ideal as the winter weather approaches. The First United Methodist Church (located on the corner of B Street and 2nd) was the first to offer its facility for this effort. All Saints Church is also taking a leadership role in helping to coordinate with the many other faith-based food programs to move their respective operations to The First United Methodist Church as soon as possible.

It is anticipated that more than one indoor location may be needed, so efforts to identify other facilities continue. The City's Neighborhood Initiative Program mini grants, Social Service, and Community Development Block Grant (CDBG) funds are City resources that are available to support these efforts. Both the Human Services and Citizen's Advisory Commissions have been, and will continue to be, involved with these efforts. Specific funding recommendations (pertaining to Social Services and CDBG funds) will be presented to Council during its regular funding public hearings in April of 2008. Staff will also work with the Chamber of Commerce on a merchant-based collection campaign to support the indoor food distribution programs in lieu of giving to panhandlers.

FISCAL IMPACT

An estimated total of \$543,000 in Redevelopment Agency funding will be required to fund the security, lighting, and trash receptacle improvements proposed in this report. The Agency's fund balance is sufficient to cover the proposed expenditures. In addition, a total of \$9,500 in funding from the downtown BIA fund balance is proposed to fund additional sidewalk cleaning services in the downtown for the balance of the current fiscal year. The BIA has a sufficient fund balance to cover this year's expenditures, however, it is recommended that additional funding sources be considered for future years. Finally, CDBG funds are currently available to fund a \$60,000 contract for litter pick up services by a non-profit organization as discussed above.

PUBLIC CONTACT

The following recent meetings have been held regarding Downtown Safe and Clean issues:

- A meeting of concerned downtown businesses and property owners was held on August 1, 2007;
- A City Council Work Session was held on October 16, 2007;
- A Council Downtown Committee Meeting was held on October 22, 2007.

- Meetings with Faith-Based Organizations regarding food distribution activities were held throughout November 2007.

These meetings resulted in a summary of concerns and action items that can be accomplished in the short term. Longer term efforts, such as funding for additional police officers, providing additional code enforcement inspectors, the rehabilitation and leasing of vacant buildings in the downtown, and permitting processes for food distribution and other private charitable activities on City property will be brought forward to the City Council in future meetings.

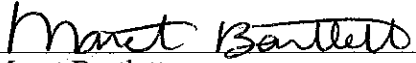
NEXT STEPS

With the approval of the attached resolutions, staff will:

- Immediately hire a security firm for the Cinema Place Parking Garage;
- Hire a consultant to evaluate downtown lighting and recommend improvements;
- Work with vendors and non-profit organizations to provide increased sidewalk cleaning services; and
- Evaluate trash receptacle modification and purchase options.

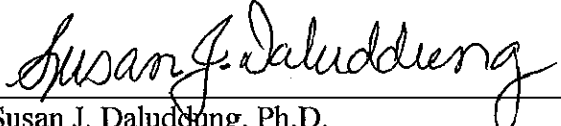
Staff will report back to the City Council/Council Downtown Committee on the recommended improvements as relates to lighting and trash receptacles, and the status of enhanced sidewalk cleaning efforts within the next four months.

Prepared by:



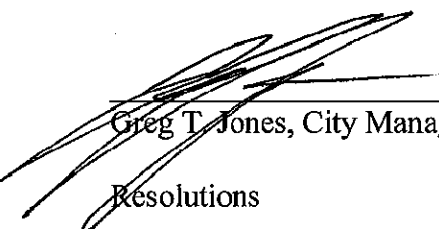
Maret Bartlett
Redevelopment Director

Recommended by:



Susan J. Daludding, Ph.D.
Director of Community and Economic Development

Approved by:



Greg T. Jones, City Manager
Resolutions

DRAFT

11/27/07

HAYWARD CITY COUNCIL

RESOLUTION NO. 07-

Introduced by Council Member _____

RESOLUTION AMENDING RESOLUTION 07-079, AS AMENDED, THE BUDGET RESOLUTION FOR FISCAL YEAR 2007-08 RELATING TO AN AMENDMENT TO THE BIA BUDGET AND AN APPROPRIATION OF FUNDS FROM THE CDBG FUND FOR ADDITIONAL SIDEWALK CLEANING SERVICES DOWNTOWN

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that Resolution No. 07-079, as amended, the Budget Resolution for fiscal year 2007-08, is hereby further amended by approving an amendment to the BIA budget in the amount of \$9,500, and an appropriation of \$60,000 from the CDBG Fund for additional sidewalk cleaning services in the downtown.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2007

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

